

Pro Se

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

(Jointly Administered.)

**DANIEL A. FRISHBERG’S STATEMENT AND JOINDER TO THE
DEBTOR’S AND THE UCC’S RESPONSES IN REGARDS TO *PRO SE*
MOTION FOR SANCTIONS AND TO INCREASE THE VALUE OF
THE WORTHLESS FRAUDULENT CEL TOKEN**

Daniel A. Frishberg (“Mr. Frishberg”) hereby files this statement and joinder (the “Statement and Joinder”) regarding *Jason Amerson’s Amended* Motion for Entry of an Order (I) To Request an Injunction or Sanction on Inappropriate Communications Between Debtor and Unsecured Creditor, (II) Granting Related Relief* [Docket No. 2314] (the “Communications Motion”) and (b) *Jason Amerson’s Amended* Motion for Entry of an Order (I) To Request the Court to Investigate² if The Debtor and/or Debtor’s Legal Counsel Aided in Granting Financial Relief to an Unsecured Creditor After the February 9th, 2023 Proof of Claim Bar Date Occurred, (II) To Request the Court to Remedy Any Such Act Determined to be a Violation of Bankruptcy Law, (III) Granting Related Relief* [Docket No. 2333] (the “Amended Claim

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); and Celsius US Holding LLC (7956). The location of Debtor Celsius Network LLC's principal place of business and the Debtors' service address in these chapter 11 cases is 121 River Street, PH05, Hoboken, New Jersey 07030.

² This misspelling is not the work of Mr. Frishberg, and it should be noted that it likely is meant to say “investigate”.

Motion,” and together with the Communications Motion, the “Motions”). Mr. Frishberg joins with the UCC’s and Debtors’ objections, and repeats, realleges and incorporates them here by reference. Mr. Frishberg respectfully states as follows:

Introduction

The Debtors’ and UCC’s objections should be **SUSTAINED**. Mr. Amerson seems to have become detached from reality (quite a while ago). As the Debtors and UCC state, there is no legal or logical basis to sanction Mr. Dixon for communications with the Debtors. If anyone should be getting sanctioned, it is Mr. Amerson, and other “CEL Squeezers”³, who in addition to attempting to manipulate the price of CEL post-pause but pre- (and to a lesser extend post-) petition, have been extremely toxic to the community, including engaging in value destroying activities such as filing the aforementioned frivolous and meritless motions, as well as harassing and even threatening creditors.

Joinder and Statement

I fully join in the arguments made in the Debtors and UCC’s objections (DR 2615 and 2616). Mr. Frishberg would also like to add that Mr. Amerson was the same individual (who, to the best of my knowledge and belief), I told the court about back in December who suggested that an unspecified someone (in reference to me) “will drop you like an anchor to the bottom of the ocean at the first sign of trouble. And trouble is brewing.” (See Exhibit B, C, and D for examples of the implied threats that Mr. Amerson⁴ has sent me). Mr. Amerson also participated

³ Individuals who participated in the manipulation/attempted to participate in the manipulation of the CEL token via a short squeeze/pump and dump.

⁴ As well as numerous other individuals. These implied/attempted threats seem to be mostly trolling, but in combination with Mr. Davis’s “mother****ers will hunt you down” statement, some should be taken seriously.

in a Twitter space with numerous other CEL Squeezers where one of them said (in reference to me): “Mother****ers will come hunt you down.”. (See Exhibit A for full verified transcript). If anyone should be getting sanctioned, it is not Mr. Dixon, but Mr. Amerson, and the other squeezers.

Conclusion

For the aforementioned reasons, the Motions should be **DENIED WITH PREJUDICE**, and the Objections should be **SUSTAINED**.

Respectfully signed,

Dated: May 16th, 2023
Broward County, Florida

/s/ Daniel A. Frishberg
Daniel A. Frishberg
Pro Se

CERTIFICATE OF SERVICE

I hereby certify that on May 16, 2023, a true and correct copy of *Daniel A. Frishberg's Statement And Joinder To The Debtor's And UCC's Responses In Regards To Pro Se Motion For Sanctions And To Increase The Value Of The Worthless Fraudulent CEL Token* was filed with the Clerk of the United States Bankruptcy Court in the Southern District of New York and served upon Chambers, and the Core/2002 service list⁵, I also requested that the Debtors serve this upon Mr. Amerson.

/s/ Daniel A. Frishberg

Daniel A. Frishberg

Pro Se

May 16, 2023

⁵ Core/2002 Service List available at <https://cases.stretto.com/celsius/> on May 15, 2023.

**EXHIBIT A: TRANSCRIPT OF TWITTER SPACES WITH MR. AMERSON AND
OTHER SQUEEZERS**

I, Daniel A. Frishberg, swear that to the best of my knowledge, belief and information, the below transcript is accurate.

This is a transcript of the Twitter space, which can be heard at:

<https://twitter.com/camcrews/status/1633493598275608578?s=12&t=1C5AjSNHGS-rNUWq-RnyHg>

FightForCel81⁶: “He went out of his way to try [illegible due to Otisa502 speaking over him]”

Otis Davis⁷ (@Otisa502 on Twitter): “Listen, I don’t advocate violence against anybody, but this is people’s life savings your fucking with Mr. Frishberg, motherfuckers will come hunt you down. You better stop, you think this is a joke? You fucking with peoples lives? [at this point, Mr. Amerson, also known as “CryptoCexual”⁸, Twitter tag @Jamers2012, uses the “raise hand”⁹ function to raise his hand in the Twitter space]. People don’t take this lightly. You”

CryptoCexual (Mr. Amerson, interrupting Otis): “Hunt you down on Twitter right? [audibly laughing slightly]

⁶ Who to the best of my knowledge, belief and information, is Zach Wildes, a former Celsius employee who was Alex Mashinsky’s right hand man at AMA’s, and who has in the past on a twitter space with me admitted to knowing how Celsius operated like a hedge fund, among other things he did not disclose to customers at the time.

⁷ It should also be noted that Mr. Davis has a very large amount of CEL, and has engaged in selling/buying of it on FTX. If he is not one of the 10 wallets being investigated by the UCC, he should be added to the list and subpoena.

⁸ <https://twitter.com/jamers2012>

⁹ Which is used to effectively signal the desire to speak.

Otis Davis: “are filing a motion against CEL token holders? People that have their life savings on the platform. Are you stupid? Let Kirkland and Ellis do that.”

[Unknown individual, illegible speaking]

CryptoCexual (Mr. Amerson): You meant, you meant they’re gonna hunt him, they’re gonna hunt him down in the DMs [DMs likely means direct messages], they’re gonna DM him by sending him, [illegible beeping] yeah right?

Otis Davis: “I talk as it is”

CryptoCexual: (Mr. Amerson, speaking over Otis): [chuckle/background noise]

Otis Davis: “I know how people are frustrated, like people that have their savings are motion to get 80 cents, it does not mean that 80 cents, it will probably end up being 40 cents when it’s hair cutted. You’re trying to steal their money.”

EXHIBIT B:

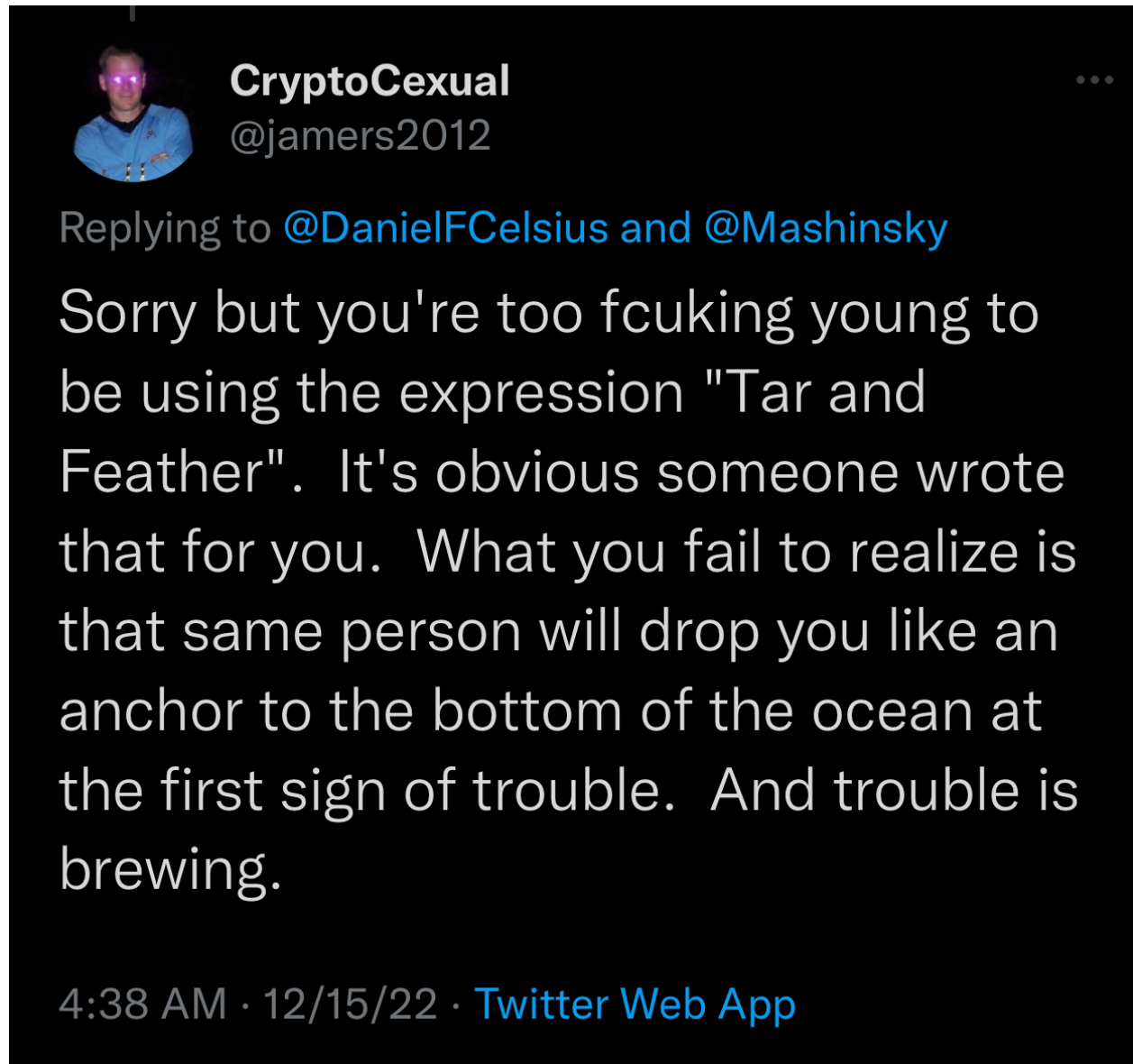



EXHIBIT C:



EXHIBIT D (Darwin awards are awarded *after death*):



CryptoCexual
@jammers2012

I told you all that Judge Glenn was gonna knock down @DanielFCelsius. 🕒⌚ Time/Money 💵 wasters came up 0 for 5 on their moronic motions. They had no merit according to the Judge so there will be no Meritorious Awards. Instead, #Celsius should present Danny with a Darwin Award. 🏆

II. Uncontested Matters.

2. **Postpetition Transfers Motion.** (Motion Granted)
3. **Motion to Credit Flare Tokens.** Debtors' Motion for Entry of an Order Authorizing the Debtors to Credit Flare Tokens to Eligible Account Holders (Motion Granted)
4. **Final Hearing on GK8 Cash Management Motion.** (Motion Granted)

III. Contested Matters.

5. **De Minimis Asset Sale Notice.** Notice of Sale of Certain De Minimis Assets
6. **Institutional Loans Motion.** Debtors' Motion Seeking Entry of an Order Authorizing the Transfer of Cryptocurrency Assets Serving as Collateral on Account of Institutional Loans in the Ordinary Course of Business. (Pending)
7. **Motion for Reconsideration of GK8 Sale.** "Puppet Boy" Daniel A. Frishberg's Motion for Reconsideration of the GK8 Sale and Other Requested Relief. (Motion Denied)
8. **Motion to Ensure Earn Program Assets Receive Same Standing as Custody.** Verified Motion Seeking to Preserve My Right for Determination That My Personal Earn Program Assets Receive the Same Standing as Custody Accounts and Are Not Property of These Estates and Request for Hearing. (Motion Denied)
9. **Motion for Ownership of Assets.** Rebecca Gallagher's Motion for Entry of an Order to Rule that Ownership of All the Coins She Deposited into the Celsius Earn Platform Belong to Her and Not the Debtors. (Motion Denied)
10. **Motion to Rule Stablecoins and Assets in Earn Not Property of the Estate.** Marc Benzaken's Motion Seeking a Ruling From This Court That Stablecoins and Assets in Earn Currently Held by Celsius *et. al.* Are Not Property of the Estate. (Motion Denied)
11. **Motion to Rule Stablecoins and Assets in Earn Not Property of the Estate.** Michael Benzaken's Motion Seeking a Ruling From This Court That the Stablecoins and Assets in Earn Currently Held by Celsius *et. al.* Are Not Property of the Estate. (Motion Denied)